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DEPARTMENT FOR AF A/S FRAZER, AF/SE NATSIOS, OBO GEN WILLIAMS

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SUBJECT: FUTURE PROCESSING OF NEC CONTAINERS

REF: KHARTOUM 508

¶11. (U) The Deputy Chief of Mission was called to the Ministry of Foreign Affairs, Department of Protocol, on April 2 in order to discuss the New Embassy Compound (NEC). Ambassador Ali Yusuf explained that, while those shipping containers holding building materials currently in customs are fully cleared, in the future it will be necessary to obtain additional approvals for all subsequent shipments. Therefore, the Embassy, with as much advance notice as possible, should inform the MFA via diplomatic note of shipments en route and prior to arrival in port. The MFA will in turn inform the Ministry of Finance in order to expedite the clearance of the containers through customs. Yusuf explained that this is expected of all diplomatic missions in Khartoum and is currently being enforced with several new embassy compounds under construction.

¶12. (U) The DCM underscored that there were nearly 350 additional containers needed for construction of the NEC. On-time construction required expeditious processing of these containers through customs. It was imperative that the Embassy not find itself in the same situation it was across the past six months. Yusuf said that he understood this and that adherence to these procedures would ensure the expeditious treatment of future shipments.

¶13. (U) The DCM also provided Yusuf a copy of the Embassy's diplomatic note of March 29, which he had not yet seen, but which was delivered to the America's Desk. In it the Embassy acknowledged the Ministry's efforts to secure the release of the containers in question. The dipnote also said that the Embassy looked forward to the expeditious treatment of future shipments. It further underscored the Embassy's understanding that future containers would not be subject to "unwarranted retentions or inspections." Yusuf took issue with the latter, insisting that, per the Vienna Convention, construction materials were not the same thing as diplomatic cargo and that the Government had the right to inspect the containers so long as a U.S. official was present. The DCM replied that the Embassy would certainly insist on having someone present if any of the containers required inspection. Yusuf stated that the MFA would provide a written response to the Embassy's diplomatic note.

¶14. (SBU) Comment: While the Embassy has been the recipient of good news of late, this meeting suggests that we're not completely out of the woods yet on the container issue. Nor can we overlook the sheer amount of time and energy the Mission has expended on this issue across the past six months. Post will continue to monitor closely the container issue in order to ensure there are no further impediments in the construction of a new embassy in Khartoum. End comment.
HUME